

Appl. No. 10/814,341
Amdt. Dated August 31, 2005
Reply to Office Action of October 14, 2005

Remarks

This paper is being filed in response to the Office Action mailed on October 14, 2005 ("Office Action"). Claims 25-37, 39, and 41-51 are pending. Claims 38 and 40 have been cancelled. Claims 30-34, 43, 44, 46 and 47 are withdrawn from consideration. Claim 35 is herein amended.

I. IN THE SPECIFICATION

The Examiner objects to amendment on page 1 of the specification because it incorrectly referenced the line numbers and objects to the amendment to the Abstract because the Abstract was not submitted on a separate page. Applicant has amended the specification to correct these deficiencies. As such, the Applicants respectfully request the objections be withdrawn.

II. IN THE CLAIMS

The Examiner has noted a grammatical error in claim 35. In response, the Applicants herein amend the claim 35 in accordance with the Examiner's suggestion.

**III. REJECTION OF CLAIMS 25, 27 AND 45 UNDER JUDICIALLY CREATED
DOCTRINE OF DOUBLE PATENTING**

In the Office Action at pages 3 and 4, the Examiner states that claims 25, 27 and 45 are rejected under the judicially created doctrine of double patenting. The Examiner asserts that claims 25 and 27 are unpatentable over claims 16 and 17, respectively, of U.S. Patent 6,728,646 and claim 45 is unpatentable over claim 1 of U.S. Patent 6,728,646.

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Applicants herein file a terminal disclaimer in accordance with 37 CFR 3.73(b). As such, the Applicants respectfully request the rejection be withdrawn.

IV. REJECTION OF CLAIM 38 UNDER 35 U.S.C. § 102

In the Office Action, the Examiner states that claim 38 is rejected under 35 U.S.C § 102(e) as being anticipated by U.S. Patent No. 5,963,146 ("Johnson"). For at least the reasons stated in their response dated July 15, 2005, Applicants traverse this rejection. However, Applicants have cancelled claim 38 without prejudice.

V. REJECTION OF CLAIM 40 UNDER 35 U.S.C. § 103

In the Office Action, the Examiner states that claim 40 is rejected under 35 U.S.C § 103(a) as being unpatentable over Johnson in view of US Patent 6,088,659 ("Kelley"). For at least the reasons stated in their response dated July 15, 2005, Applicants traverse this rejection. However, Applicants have cancelled claim 40 without prejudice..

V. ALLOWABLE SUBJECT MATTER

The Examiner submits that claims 35-37, 39, 41 and 48-51 are allowed. Moreover, the Examiner submits that claims 26, 28, 29 and 42 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. In light of the filing of a terminal disclaimer, the Applicants respectfully submit that independent claims 25 and 45 and dependent claim 27 are in allowable form. Therefore, claims 26, 28, 29 and 42, are no longer dependent upon a rejected base claim and are in allowable form. As such, the Applicants respectfully request the objections be withdrawn and thank the Examiner for the allowance of these claims. Furthermore, withdrawn claim 31 is dependent on allowable claim 42. Accordingly, claims 25-29, 31, 35-37, 39, 40-42, 45, and 48-51 are allowed or in allowable

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form.

Provisional Petition for Extension of Time


If an extension of time to respond is deemed necessary, Applicants hereby request a three month extension. Applicants herein authorize the extension fee to be charged to Deposit Account 50-1943. Please also charge any deficiency and/or credit any overpayment to said Deposit Account.

Conclusion

Applicants believe that Applicants have fully responded to the Examiner's concerns and that all of the claims are in condition for immediate allowance. Applicants respectfully request immediate allowance of all claims.

Applicants request that any questions concerning this matter be directed to the undersigned at (609) 895-6639.

Respectfully submitted,



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Abstract of the Disclosure

An energy information system and sub-measurement board for use therewith allows an energy information service provider to measure energy usage at a customer location. The sub-measurement board is connected to an energy distribution panel located at the customer location and measures energy usage of individual circuits of the distribution panel. The sub-measurement board outputs a load profile that is accessible by the customer. The sub-measurement board receives three three-phase voltages and nine single-phase currents. The voltages and currents are compared to the voltages and currents of the same individual circuit of the distribution panel to calculate the load profile of the individual circuits. A utility meter can be connected to the sub-measurement board and output electric pulses thereto which the sub-measurement board uses to calculate cumulative periodic consumption data of the metered utility.